

## Legislation Text

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AN ORDINANCE authorizing the King County executive to execute a lease amendment agreement for the use of aquatic lands owned by Washington state adjacent to King County's Maury Island natural area, the former Glacier Northwest's site, to allow additional time for removal of the existing dock improvements.

### STATEMENT OF FACTS:

1. King County purchased the Maury Island natural area in 2010. This property was owned by Glacier Northwest (now Cal Portland) and was formerly a commercial mining operation. When the county acquired the property, it assumed responsibility for the existing dock improvements which were used for commercial mining purposes.
2. A five-year aquatic lease agreement was entered into on December 30, 2010, by and between King County as tenant, and Washington state, acting and through the Department of Natural Resources, as the landlord. The sole purpose of the aquatic lease is to allow for removal of all of the improvements currently located on the state's aquatic lands adjacent to King County's Maury Island natural area, formerly known as the Glacier gravel mine when under Glacier Northwest ownership. The lease agreement was recorded by the King County recorder's office under recording number 20110112000541 and is identified by the state as Lease No. 20-B12778.
3. The dock structure contains creosote-treated materials that leach chemical compounds into beach and marine sediments causing toxic conditions for organisms that live in and use these areas. The dock also blocks sediment transport and creates shading along the critical nearshore,

displacing what could be valuable vegetated habitat. Removing the dock structure will enhance the ecological value of the site and help restore the site to its natural state.

4. The dock structure has not yet been removed from the site and the Washington state Department of Natural Resources and the county need additional time to ensure removal.

5. K.C.C 4A.100.070.D.4.b. states that any decision to extend a lease or license for the possession or use of real property by the county beyond a cumulative total of five years, whether memorialized through an option, extension, amendment or new lease or license, must be approved by the council before execution by the executive.

6. Washington state has the right to enter into this lease under chapter 43.12, chapter 43.30 and Title 79 RCW.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County executive is hereby authorized to sign the aquatic lands lease agreement with the Washington state Department of Natural Resources, substantially in the form of Attachment A to this ordinance, and take all actions necessary to implement the terms of the lease.